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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 EDWARD FULTON,

9 Plaintiff,

10 v.

11 SEATTLE CITY ATTORNEY,

12 Defendant.

Case No. C13-2148-MJP

**ORDER OF DISMISSAL**

13 The Court reviewed plaintiff's proposed complaint (Dkt. No. 1), the Report and  
14 Recommendation of United States Magistrate Judge Brian A. Tsuchida, and Defendant's  
15 Objections to the Report and Recommendation (Dkt. No. 7). Defendant's Objections do not cure  
16 the deficiencies discussed in the Report and Recommendation. The Report and Recommendation  
17 states Plaintiff's claims are barred because they are against defendants who have immunity, and  
18 because they go directly to Plaintiff's conviction and sentence. (Dkt. No. 4 at 2-3.) Plaintiff's  
19 Objections do not address either of these issues. (Dkt. No. 7.) The Court agrees with the findings  
20 and conclusions in the Report and Recommendation.

21 The Court does hereby **ORDER**:

- 22 (1) The Court adopts the Report and Recommendation;  
23 (2) The proposed complaint (Dkt. 1) is **DISMISSED** without prejudice;

(3) Plaintiff's application to proceed in forma pauperis is **DENIED** as moot; and

(4) The Clerk of Court is directed to send copies of this Order to plaintiff and to Judge Tsuchida.

DATED this 31st day of December, 2013.

Wassily Kandinsky

Marsha J. Pechman  
Chief United States District Judge